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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**IN RE: NEW JERSEY TAX SALES  
CERTIFICATES ANTITRUST LITIGATION**

**Master Docket No. 3:12-CV-01893-MAS-TJB**

***CLASS ACTION***

**REPLY OF DEFENDANTS GARY I.  
BRANSE AND MICHAEL G. DELUCA IN  
FURTHER SUPPORT OF MOTION TO  
DISMISS COMPLAINT FOR FAILURE  
TO STATE A CLAIM**

***Oral Argument Requested***

**PLEASE TAKE NOTICE** that, in further support of their Motion to Dismiss, Defendants, Gary I. Branse and Michael G. DeLuca (“Defendants”), by and through their undersigned counsel, Connell Foley LLP, hereby join in all respects and incorporate by reference the Reply Memorandum of Law in Support of American Tax Funding, LLC, BBX Capital Corporation, Fidelity Tax, LLC and Plymouth Park Tax Services’ Motion to Dismiss filed on June 26, 2013 (Docket No. 252) and the Reply Memorandum of Law in Further Support of Defendants’ Joint Motion to Dismiss filed on July 3, 2013 (Docket No. 254) (the “Replies”). Defendants submit that the arguments set forth in the Replies apply equally to Defendants and compel the dismissal of the Complaint as to Defendants for failure to state a claim.

**WHEREFORE**, Defendants respectfully request that the Complaint be dismissed for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6).

Respectfully submitted,

CONNELL FOLEY LLP  
*Attorneys for Defendants,*  
*Gary I. Branse and Michael G. DeLuca*

By: /s/ Stephen V. Falanga  
Stephen V. Falanga  
Christopher M. Hemrick

Dated: July 3, 2013

**CERTIFICATION OF SERVICE**

I certify that on July 3, 2013, I caused a copy of the attached “**REPLY OF DEFENDANTS GARY I. BRANSE AND MICHAEL G. DELUCA IN FURTHER SUPPORT OF MOTION TO DISMISS COMPLAINT FOR FAILURE TO STATE A CLAIM**” to be served on all counsel of record via the Court’s electronic filing system.

I certify under penalty of perjury that the foregoing is true and correct.

*/s/ Stephen Falanga*

Stephen V. Falanga

Executed on: July 3, 2013